

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: FAIRFIELD SENTRY LIMITED, et al., Debtor in Foreign Proceedings.	Chapter 15 Case Case No. 10-13164 (CGM) Jointly Administered
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al., Plaintiffs, v. ABN AMRO SCHWEIZ AG, et al., Defendants.	Adv. Pro. No. 10-03635 (CGM)
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al., Plaintiffs, v. ABN AMRO SCHWEIZ AG, et al., Defendants.	Adv. Pro. No. 10-03636 (CGM)

**JOINT MOTION TO FILE REDACTED BRIEF IN FURTHER
SUPPORT OF THE LIQUIDATORS' MOTION FOR SANCTIONS**

Kenneth M. Kryz and Greig Mitchell (the “Liquidators”), in their capacities as the duly appointed Liquidators and Foreign Representatives of Fairfield Sentry Limited (In Liquidation) (“Sentry”), Fairfield Sigma Limited (In Liquidation) (“Sigma”), and Fairfield Lambda Limited (In Liquidation) (“Lambda,” and together with Sentry and Sigma, the “Funds” or the “Fairfield Funds”), and Defendant, Banque Internationale à Luxembourg SA (*f/k/a* Dexia Banque Internationale à Luxembourg) (“BIL”) (together “the Parties”) in the above-captioned action respectfully jointly move pursuant to Local Bankruptcy Rule 9018-1 and the Parties’ so-ordered Stipulation

and Confidentiality Agreement and Protective Orders (“Protective Orders”) entered in *Fairfield Sentry Limited (In Liquidation) v. ABN AMRO Schweiz AG*, Adv. Pro. No. 10-03636, Dkt. 918 ¶ 12 (Bankr. S.D.N.Y. February 16, 2022) and *Fairfield Sentry Limited (In Liquidation) v. ABN AMRO Schweiz AG*, Adv. Pro. No. 10-03635, Dkt. 849 ¶ 12 (Bankr. S.D.N.Y. February 16, 2022), for an Order permitting the Parties to file a redacted version of the Liquidators’ Reply Brief in Further Support of Their Motion for Sanctions (the “Reply”) to the extent it reflects or refers to sealed information. A redacted version of the Reply is submitted herewith.

The Reply relies on documents designated by BIL or third parties as “Confidential” under the Protective Orders and which were previously filed under the pending Joint Motion to File Under Seal Motion For Sanctions and Certain Exhibits, *see* 10-ap-3636, Dkt. 1083; as set forth in the Declaration in Support of the Motion for Sanctions, Dkt. 1083-2 (the “Joint Motions to Seal”). The Liquidators reserve the right to later challenge these confidentiality designations pursuant to the Protective Orders. Protective Orders at ¶ 4.

Because the Protective Orders requires that any party intending to refer to “Confidential” material in briefing must request that the court seal that material, Protective Orders ¶ 12, the Liquidators hereby request that the Court permit them to file redacted versions of the Reply. BIL joins in that motion.

The Parties respectfully request that the Court grant this Sealing Motion. The Parties also respectfully request permission to file copies of sealed documents with the Clerk of Court through electronic means, rather than in hard copy. A proposed order to that effect has been submitted to eOrders, consistent with this Chambers’ Rules.

Dated: New York, NY
March 8, 2023

Respectfully submitted,

By: /s/ David S. Flugman
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Dated: New York, NY
March 8, 2023

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